

REMARKS/ARGUMENTS

The specification, abstract and claims have been revised to correct a number of grammatical and idiomatic errors and it is submitted that they are now in proper form.

The limitations of Claim 2 and 3 have been incorporated into Claim 1 and it is submitted that this claim and the claims dependent thereon patentably define over the prior art of record for the reasons set forth below.

As correctly noted by the Examiner, Claim 1 is not anticipated by UK 1,383,201, which fails to disclose the limitation of a thermal dead time of less than 10 seconds and further fails to disclose that the IR radiators have a color temperature greater than 1500°C.

In DE 19905385, only heating of glass by IR radiators is mentioned. However, ceramizing a glass into a glass ceramic is a much more complex process and an advantage of the claimed invention is that it enables ceramizing to a glass ceramic much faster than by the known techniques, e.g. UK 1,383,201. Ceramizing a glass to a glass ceramic with good homogeneity requires a very precise setting of the temperature for providing crystallization nuclei in the glass, which is strongly dependent on temperature. As set forth on page 2 of the specification of the present application, rapid and precise setting of a rapidly changing temperature of the glass is not possible in the case of bedding on a tin bath as is disclosed in UK 1,383,201.

The inventors of the present application have discovered that, surprisingly, heating glass with short wavelength infrared radiators results in very short thermal dead times. This is unexpected because infrared heating radiators normally have a very long thermal dead time. Nowhere in DE 29905385 is it disclosed that short wavelength infrared radiators have the claimed short thermal dead time and this would not be expected by a person skilled in the art.

In summary, it is submitted that the limitations contained in amended Claim 1, namely, heating with infrared radiators that heat the glass to be relaxed with a thermal dead time of less than 10 seconds and the IR radiators having a high color temperature of greater than 1500°C. is not disclosed by the prior art references cited by the Examiner.

It is further noted that DE 19920368 is not prior art to the present application because the publication date of this document (October 26, 2000) is subsequent to the filing date of the priority German application on which the present application is based, namely, September 22, 2000.

Application Serial No. 09/938,072
Amendment dated October 27, 2003
Reply to Office Action dated July 3, 2003

It is submitted that the amended claims patentably define over the prior art and it is requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. 103.

The Examiner is invited to telephone the undersigned at 260-460-1692 if such would be of assistance in expediting prosecution of the application.

Respectfully submitted,

John F. Hoffman
Registration No. 26,280

Attorney for Applicants

JFH/nw

BAKER & DANIELS
111 East Wayne Street, Suite 800
Fort Wayne, IN 46802
Telephone: 260-424-8000
Facsimile: 260-460-1700

Enc. Return Postcard

CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: October 27, 2003

JOHN F. HOFFMAN, REG. NO. 26,280
Name of Registered Representative

Signature

October 27, 2003
Date